

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**IN RE: REALPAGE, INC., RENTAL  
SOFTWARE ANTITRUST LITIGATION  
(NO. II)**

**Case No. 3:23-MD-3071  
MDL No. 3071**

**This Document Relates to:**

**3:22-cv-01082  
3:23-cv-00332  
3:23-cv-00357  
3:23-cv-00378  
3:23-cv-00410  
3:23-cv-00413  
3:23-cv-00552  
3:23-cv-00742  
3:23-cv-00979**

**Chief Judge Waverly D. Crenshaw, Jr.  
Magistrate Judge Barbara D. Holmes**

**JOINT MOTION FOR DISCOVERY CONFERENCE**

Pursuant to the Court’s March 8, 2024 Order relating to the resolution of discovery disputes, ECF No. 854, Defendants Windsor Property Management Company (“Windsor”), UDR, Inc. (“UDR”) (collectively the “Moving Defendants”), and Plaintiffs respectfully move this Court to schedule a discovery conference to address an ongoing discovery dispute concerning Moving Defendants’ requests for admissions and related interrogatories served on Plaintiffs.

On July 29, 2024, Windsor served its First Set of Requests for Admission and First Set of Interrogatories on all Plaintiffs. On August 28, 2024, Plaintiffs served their objections to Windsor’s requests. Plaintiffs “decline[d] to respond” to the RFAs as improper and declined to respond to the interrogatory as a premature contention interrogatory. Those discovery responses are attached hereto as Exhibit C.

On September 12, 2024, UDR served its First Set of Requests for Admission and First Set of Interrogatories on all Plaintiffs. These were substantially similar in form and substance to Windsor's discovery requests. On October 16, 2024, Plaintiffs served their objections to UDR's requests. Plaintiffs "decline[d] to respond" to the RFAs as improper and declined to respond to the interrogatory as a premature contention interrogatory. Those discovery responses are attached hereto as Exhibit D.

The parties have met and conferred extensively over the last several months. These meet-and-confers have included bilateral discussions between counsel for Plaintiffs and Windsor, and bilateral discussions between counsel for Plaintiffs and UDR. Pursuant to the Court's discovery dispute resolution procedures (ECF No. 854), the parties certify that they held an in-person (face-to-face) meet-and-confer on November 20, 2024 in Washington, D.C., in which the following attorneys participated:

- For Plaintiffs: Swathi Bojedla
- For Defendant UDR: David Cross and Andrew Hill
- For Defendant Windsor: Stephen Medlock and Alex Rant

The in-person conferral lasted approximately 30 minutes.

At the in-person conferral, Moving Defendants offered a compromise solution: Moving Defendants would forgo answers to their respective RFAs and interrogatories at issue if Plaintiffs would answer within a few weeks an interrogatory stating the specific factual bases for Plaintiffs' allegations that employees of UDR and Windsor agreed with competing multifamily housing providers to fix rental prices and occupancy rates; Plaintiffs would be free to supplement these responses as appropriate toward the end of fact discovery, per Fed. R. Civ. P. 26(e). On December 5, 2024, Plaintiffs declined Moving Defendants' proposal as requiring premature contention

interrogatory discovery and because Plaintiffs had already offered to respond to contention interrogatories at the appropriate stage in the case.

The parties' positions on disputed issues are set forth in the accompanying Joint Discovery Dispute Statement, attached hereto as Exhibit 1. The parties respectfully request a discovery dispute conference at a date and time convenient for the Court.

Respectfully submitted,

Dated: December 11, 2024

/s/ David D. Cross

David D. Cross (admitted *pro hac vice*)  
dcross@goodwinlaw.com  
Mary Kaiser (admitted *pro hac vice*)  
mkaiser@goodwinlaw.com  
Goodwin Procter LLP  
1900 N St. NW  
Washington, DC 20036  
Telephone: (202) 346-4000

Kathryn M. Baldwin (admitted *pro hac vice*)  
kbaldwin@goodwinlaw.com  
Ben Campbell (admitted *pro hac vice*)  
benjamincampbell@goodwinlaw.com  
Goodwin Procter LLP  
620 Eighth Avenue  
New York, NY 10018  
Telephone: (212) 813-8800

Joshua L. Burgener  
jburgener@dicksinsonwright.com  
Dickinson Wright PLLC  
424 Church Street, Suite 800  
Nashville, TN 37219  
Telephone: (615) 620-1757

*Counsel for Defendant UDR, Inc.*

/s/ Stephen M. Medlock

Stephen M. Medlock (admitted *pro hac vice*)  
smedlock@velaw.com  
Craig P. Seebald (admitted *pro hac vice*)  
cseebald@velaw.com

Michael McCambridge (admitted *pro hac vice*)  
mmccambridge@velaw.com  
VINSON & ELKINS LLP  
2200 Pennsylvania Ave., N.W.  
Suite 500 West  
Washington, D.C. 20037  
Telephone: (202) 639-6500

Christopher W. James (admitted *pro hac vice*)  
cjames@velaw.com  
VINSON & ELKINS LLP  
555 Mission Street  
Suite 2000  
San Francisco, CA 94105  
Telephone: (415) 979-6900

Jessalyn H. Zeigler  
jzeigler@bassberry.com  
BASS, BERRY & SIMS PLC  
150 Third Avenue South  
Suite 2800  
Nashville, TN 37201  
Telephone: (615) 742-6200

*Counsel for Defendant Windsor Property  
Management Company*

Dated: December 11, 2024

/s/ Tricia R. Herzfeld  
Tricia R. Herzfeld (#26014)  
Anthony A. Orlandi (#33988)  
**HERZFELD SUETHOLZ GASTEL LENISKI  
AND WALL, PLLC**  
223 Rosa L. Parks Avenue, Suite 300  
Nashville, TN 37203  
Telephone: (615) 800-6225  
tricia@hsglawgroup.com  
tony@hsglawgroup.com

*Liaison Counsel*

Patrick J. Coughlin  
Carmen A. Medici  
Fatima Brizuela  
Isabella De Lisi  
**SCOTT+SCOTT ATTORNEYS AT LAW LLP**

600 West Broadway, Suite 3300  
San Diego, CA 92101  
Telephone: (619) 798-5325  
Facsimile: (619) 233-0508  
[pcoughlin@scott-scott.com](mailto:pcoughlin@scott-scott.com)  
[cmedici@scott-scott.com](mailto:cmedici@scott-scott.com)  
[fbrizuela@scott-scott.com](mailto:fbrizuela@scott-scott.com)  
[idelisi@scott-scott.com](mailto:idelisi@scott-scott.com)

Patrick McGahan  
Amanda F. Lawrence  
Michael Srodoski  
G. Dustin Foster  
**SCOTT+SCOTT ATTORNEYS AT LAW LLP**  
156 South Main Street  
P.O. Box 192  
Colchester, CT 06145  
Telephone: (860) 537-5537  
Facsimile: (860) 537-4432  
[pmcgahan@scott-scott.com](mailto:pmcgahan@scott-scott.com)  
[alawrence@scott-scott.com](mailto:alawrence@scott-scott.com)  
[msrodoski@scott-scott.com](mailto:msrodoski@scott-scott.com)  
[g foster@scott-scott.com](mailto:g foster@scott-scott.com)

Matthew J. Perez  
**SCOTT+SCOTT ATTORNEYS AT LAW LLP**  
230 Park Ave., 17<sup>th</sup> Floor  
New York, NY 10169  
Telephone: (212) 223-6444  
[matt.perez@scott-scott.com](mailto:matt.perez@scott-scott.com)

Stacey Slaughter  
Thomas J. Undlin  
Geoffrey H. Kozen  
Navy A. Thompson  
J. Austin Hurt  
Caitlin E. Keiper  
**ROBINS KAPLAN LLP**  
800 LaSalle Avenue, Suite 2800  
Minneapolis, MN 55402  
Telephone: (612) 349-8500  
Facsimile: (612) 339-4181  
[sslaughter@robinskaplan.com](mailto:sslaughter@robinskaplan.com)  
[tundlin@robinskaplan.com](mailto:tundlin@robinskaplan.com)  
[gkozen@robinskaplan.com](mailto:gkozen@robinskaplan.com)  
[nthompson@robinskaplan.com](mailto:nthompson@robinskaplan.com)

[ahurt@robinskaplan.com](mailto:ahurt@robinskaplan.com)  
[ckeiper@robinskaplan.com](mailto:ckeiper@robinskaplan.com)

Swathi Bojedla  
Mandy Boltax  
**HAUSFELD LLP**  
888 16<sup>th</sup> Street, N.W., Suite 300  
Washington, DC 20006  
Telephone: (202) 540-7200  
[sbojedla@hausfeld.com](mailto:sbojedla@hausfeld.com)  
[mboltax@hausfeld.com](mailto:mboltax@hausfeld.com)

Gary I. Smith, Jr.  
Joey Bui  
Samual Maida  
**HAUSFELD LLP**  
600 Montgomery Street, Suite 3200  
San Francisco, CA 94111  
Tel: (415) 633-1908  
[gsmith@hausfeld.com](mailto:gsmith@hausfeld.com)  
[jbui@hausfeld.com](mailto:jbui@hausfeld.com)  
[smaida@hausfeld.com](mailto:smaida@hausfeld.com)

Katie R. Beran  
**HAUSFELD LLP**  
325 Chestnut Street, Suite 900  
Philadelphia, PA 19106  
Telephone: 1 215 985 3270  
[kberan@hausfeld.com](mailto:kberan@hausfeld.com)

*Interim Co-Lead Counsel*

Eric L. Cramer  
Michaela L. Wallin  
**BERGER MONTAGUE PC**  
1818 Market Street, Suite 3600  
Philadelphia, PA 19103  
Telephone: (215) 875-3000  
ecramer@bm.net  
mwallin@bm.net

Daniel J. Walker  
**BERGER MONTAGUE PC**  
1001 G. Street, NW  
Suite 400 East  
Washington, DC 20001  
Telephone: (202) 559-9745  
dwalker@bm.net

Brendan P. Glackin  
Dean M. Harvey  
Jules A. Ross  
**LIEFF CABRASER HEIMANN & BERNSTEIN, LLP**  
275 Battery Street, Suite 2900  
San Francisco, CA 94111  
Telephone: 415-956-1000  
bglackin@lchb.com  
dharvey@lchb.com  
jross@lchb.com

Mark P. Chalos  
Hannah R. Lazarz  
Kenneth S. Byrd  
**LIEFF CABRASER HEIMANN & BERNSTEIN, LLP**  
222 2nd Avenue South, Ste. 1640  
Nashville, TN 37201  
(615) 313-9000  
mchalos@lchb.com  
hlazarz@lchb.com  
kbyrd@lchb.com

Benjamin J. Widlanski  
Javier A. Lopez  
Robert J. Neary  
**KOZYAK TROPIN & THROCKMORTON LLP**

Christian P. Levis  
Vincent Briganti  
Peter Demato  
Radhika Gupta  
**LOWEY DANNENBERG, P.C.**  
44 South Broadway, Suite 1100  
White Plains, NY 10601  
Telephone: (914) 997-0500  
Facsimile: (914) 997-0035  
vbriganti@lowey.com  
clevis@lowey.com  
pdemato@lowey.com  
rgupta@lowey.com

Christopher M. Burke  
Walter W. Noss  
Yifan (Kate) Lv  
**KOREIN TILLERY P.C.**  
707 Broadway, Suite 1410  
San Diego, CA 92101  
Telephone: (619) 625-5621  
Facsimile (314) 241-3525  
cburke@koreintillery.com  
wnoss@koreintillery.com  
klv@koreintillery.com

Labeat Rahmani  
**KOREIN TILLERY P.C.**  
205 N. Michigan Ave., Ste 1950  
Chicago, IL 60601  
Telephone: (312) 641-9750  
lrrahmani@koreintillery.com

Joseph R. Saveri  
Cadio Zirpoli  
Kevin E. Rayhill  
**JOSEPH SAVERI LAW FIRM, LLP**  
601 California Street, Suite 1505  
San Francisco, CA 94108  
Telephone: (415) 500-6800  
jsaveri@saverilawfirm.com  
czirpoli@saverilawfirm.com  
krayhill@saverilawfirm.com

Jennifer W. Sprengel  
Daniel O. Herrera

2525 Ponce de Leon Blvd., 9th Floor  
Coral Gables, Florida 33134  
Telephone: (305) 372-1800  
[bwidlanski@kttlaw.com](mailto:bwidlanski@kttlaw.com)  
[jal@kttlaw.com](mailto:jal@kttlaw.com)  
[rnlaw@kttlaw.com](mailto:rnlaw@kttlaw.com)

Alexander Sweatman  
Nyran Rose Rasche  
**CAFFERTY CLOBES MERIWETHER &  
SPRENGEL LLP**  
135 S. LaSalle, Suite 3210  
Chicago, IL 60603  
Telephone: 312-782-4880  
Facsimile: 312-782-4485  
[jsprengel@caffertyclobes.com](mailto:jsprengel@caffertyclobes.com)  
[dherrera@caffertyclobes.com](mailto:dherrera@caffertyclobes.com)  
[asweatman@caffertyclobes.com](mailto:asweatman@caffertyclobes.com)  
[nrasche@caffertyclobes.com](mailto:nrasche@caffertyclobes.com)

*Plaintiffs' Steering Committee Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on December 11, 2024, I served a true and exact copy of the foregoing upon all counsel of record via the Court's CM/ECF e-mail notification system and by email.

Dated: December 11, 2024

/s/ David D. Cross  
David D. Cross